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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,216	01/26/2004	Graeme McLintock	2001P14563WOUS	6557
28204	7590	12/20/2007	EXAMINER	
SIEMENS SCHWEIZ AG I-47, INTELLECTUAL PROPERTY ALBISRIEDERSTRASSE 245 ZURICH, CH-8047 SWITZERLAND			TIMBLIN, ROBERT M	
			ART UNIT	PAPER NUMBER
			2167	
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			12/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/763,216	MCLINTOCK, GRAEME	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert M. Timblin	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 October 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 and 7-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

This office action corresponds to application 10/763,216 filed 1/26/2004

### ***Response to Amendment***

Claims 2-6 have been cancelled and subsequently claims 7-12 have been added in this amendment. The previous claim objections and rejections have been removed in light of the amendments.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 7-11 are rejected under 35 U.S.C. 102(b) as being taught by Allen et al. ('Allen' hereafter) U.S. Patent 5,422,821.

With respect to claim 1, Allen teaches A method for automatically generating current distribution order data with the inclusion of central address directories, which are stored in databases and are transmitted by electronic data transfer, as distribution order data, comprising the steps of:

locally copying a current central address (National Change of Address database NCOA 106) directory or directory parts relating to a relevant area (col. 4 line 16-40; e.g. maintaining addresses for the Boston, Dallas, or Los Angeles area) to create a local copy (col. 2 line 60, col. 6 line 67-col. 7 line 5; i.e. an extract of the database describes a copy of address data from the NCOA database) of the current central address directory (NCOA) or address directory parts (e.g. extract),

locally storing change instructions (col. 4 line 52; change of address form that describes instructions to change an addressee's address) regarding a relative positional change for delivery points (10) in the distribution order (abstract, col. 2 line 41; i.e. mail stream) for a previous version (col. 2 line 35-38; former address) of the central address directory (NCOA) or address directory parts (e.g. extract),

transferring the change instructions (col. 6 line 65-col. 7 line 5) to the local copy (col. 2 line 60, col. 6 line 67-col. 7 line 5; i.e. an extract of the database) of the current central address directory (NCOA) or address directory parts (e.g. extract),

performing a check (col. 7 line 4-10) so as to determine whether the change instructions have already been implemented in the current address directory (NCOA) or address directory parts (e.g. extract) or whether the instructions are yet to be executed (col. 15 line 25-31; i.e. data from the change of address form may then be processed by the circuit 90 to access and update the NCOA database 106 if the data has not already been entered into the database),

storing valid change instructions (col. 4 line 24 and col. 2 lines 1-5) yet to be executed in an audit file (col. 4 line 62 and col. 7 line 2-5; i.e. a filed change of address form suggests changes that are yet to be executed and col. 7 line 2-5; i.e. a filed change of address from to determine if a forwarding-request has been logged against that delivery point), and

executing the change instructions (col. 15 line 26-31; updating the NCOA database).

With respect to claim 7, Allen teaches the method according to claim 1, further comprising the step of identifying delivery points (10) according to identification data (col. 2 line 43-45), the identification data comprising at least a sorting code (col. 3 line 1-4 and col. 4 line 37-42; POSTNET bar code).

With respect to claim 8, Allen teaches The method according to claim 7, wherein the identification data additionally and locally incorporates house number extensions (col. 3 line 1-4; zip codes and col. 2 line 34; address of a mail piece).

With respect to claim 9, Allen teaches the method according to claim 7, wherein the identification data additionally and locally incorporates distinguishing remarks (col. 14 line 20-31.

With respect to claim 10, Allen teaches the method according to claim 9, further comprising the steps of incorporating new advice comprising at least one of forwarding advice and distribution advice into the local copy of the current address directory or address directory parts by performing the following steps:

performing a check (col. 8 line 28; searching for delivery point information) so as to determine whether the delivery point (10) for the new advice (col. 7 line 3-4; forwarding request) exists in the local copy (col. 2 line 60, col. 6 line 67-col. 7 line 5; i.e. an extract of the database of the current address directory (NCOA) or address directory parts (e.g. extract) for the distribution order data (abstract, col. 2 line 41; i.e. mail stream), and

when the delivery point (10) for the new advice (col. 7 line 3-4; forwarding request) exists in the local copy of the current address directory or address directory parts, adding the new advice (col. 7 line 3-4; forwarding request) to the local copy of the current address directory (NCOA) or address directory parts (e.g. extract), with the new advice (col. 7 line 3-4; forwarding request) having priority (col. 4 line 65) over old advice of a same type (col. 15 line 25-30; updating the NCOA database, suggests updating old information to new and thus current information) and

incorporating a complete change data for the new advice (col. 7 line 3-4; forwarding request) into the audit file (col. 4 line 62 and col. 7 line 2-5; i.e. a filed change of address form).

With respect to claim 11, Allen teaches the method according to claim 7, further comprising the steps of:

Updating (col. 15 line 25-31) the local copy of the central address directory (NCOA) or address directory parts (e.g. extract) by transmitting only incremental changes (col. 15 line 25-31; i.e. the change of address information is entered to update the NCOA database for an address-the update of each address describes incremental changes) by data transfer (figure 4), the incremental changes (i.e. address updates) including a transmitted position (col. 2 line 34-36 and line 52-53; destination address) in the distribution order (abstract, col. 2 line 41; i.e. mail stream) for each delivery point (10), the incremental changes (i.e. address updates) being merged with the previously current (i.e. former address) local copy of the address directory (NCOA) or address directory parts (e.g. extract) by using the identification data (col. 3 line 1-4 and col. 4 line 42; POSTNET bar code) for each delivery point (10) to check in the previously current local copy of the address directory (NCOA) or address directory parts (e.g. extract) whether the respective delivery point (10) for a respective one of the incremental changes (i.e. address updates) is already present (col. 2 line 35-41 and 62-65; i.e. comparing former (previously current) addresses to find a match), and

when the respective delivery point (10) for the respective one of the incremental changes (i.e. address change) is not already present in the previously current local

copy of the address directory (NCOA) or address directory parts (e.g. extract. Also, col. 13 line 52-64; i.e. if there is no match...the NCOA database 106 may be expanded to further include the forwarding address for each addressee requesting mail forwarding), incorporating the respective delivery point (10) into the local copy of the address directory (NCOA) or address directory parts (e.g. extract) at the transmitted position (col. 2 line 34-36 and line 52-53; destination address) in the distribution order (abstract, col. 2 line 41; i.e. mail stream), and

when the respective delivery point (10) for the respective one of the incremental changes (i.e. address change) is already present (col. 2 line 38-42; i.e. determining at match to be found) in the previously current local copy of the address directory (NCOA) or address directory parts (e.g. extract), moving the respective delivery point (10) to the transmitted position (col. 2 line 34-36 and line 52-53; destination address) in the local copy of the current address directory (NCOA) or address directory parts (e.g. extract).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Allen.

With respect to claim 12, Allen teaches the method according to claim 11, wherein the respective delivery point (10) is moved by deleting the respective delivery point at the previous position in the local copy of the current address directory (NCOA) or address directory parts (e.g. extract) and re-entering the respective delivery point (10) at the changed position in the local copy of the current address directory (NCOA) or address directory parts (e.g. extract).

Allen does not specifically teach wherein the respective delivery point is moved by deleting the respective delivery point at the previous position in the local copy of the current address directory...and re-entering the respective delivery point at the change position.

It would have been obvious, however, for Allen to move a delivery point by deleting the respective delivery point at the previous position...and re-entering the respective delivery point at the change position for the benefit of keeping a mail piece in a respective order in a mail stream. Allen discloses such a need when they disclose the sorting of mail pieces in a mail stream (Allen at col. 3 line 3-4) according to its destination (col. 4 line 42). Furthermore, it would have been beneficial to delete and then to re-enter the respective delivery point at the changed position (when updating an address in the NCOA database) for updating destination addresses that are no longer valid (needed by Allen at col. 4 line 24).

***Response to Arguments***

Applicant's arguments, see pages 6-23, filed 10/9/2007, with respect to claims 1-7 have been fully considered and are persuasive. The previous 102(b) rejection in view of Cordery of the previous claims 1-7 has been withdrawn. However, in response to Applicant's amendments, a rejection is made in view of Allen as disclosed in the rejection above.

The Applicant argues on page 23 of the remarks that Allen has nothing to do with the distribution of the mail at the destination post office in accordance with the delivery points, which are updated to assure efficient deliver.

The Examiner respectfully disagrees as Allen is concerned with intercepting and correcting mail pieces with incorrect addresses. In accordance with a mail piece's delivery point (drawing reference 10 and col. 4 line 25), a mail piece is delivered to a destination address (Allen, col. 4 line 28-30). Further, a mail piece may be sorted according to its destination (Allen, col. 4 line 41-45) thus providing the inherent benefit of assuring efficient delivery.

Furthermore, Allen teaches the claimed "new advice comprising at least one of forwarding advice and distribution advice" as a forwarding request. That is, as Applicant's "new advice" comprises forwarding advice and distribution advice, Allen's forwarding request can be reasonably interpreted as analogous to the claimed "new advice." For example, a forwarding request logged against a delivery point may be reasonably construed to "advise" the system that the delivery point needs forwarding (i.e. forwarding advice). Furthermore, forwarding request also suggests how a mail

piece should be distributed (i.e. where the mail piece should be sent) to teach distribution advice.

### **Pertinent Prior Art**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,647,385 to Seestrom et al. The subject matter disclosed therein pertains to the pending claims (i.e. updating address information).

U.S. Patent 7,236,970 to Winslow. The subject matter disclosed therein pertains to the pending claims (i.e. current delivery points).

U.S. Patent Application 2003/046103 to Amato et al. The subject matter disclosed therein pertains to the pending claims (i.e. delivery points).

U.S. Patent 6,762,384 to Kechel. The subject matter disclosed therein pertains to the pending claims (i.e. delivery points).

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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